

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS
Board Meeting
November 19, 2009
Professional Licensing Boards
237 Coliseum Drive, Macon, GA 31217
10:00 a.m.

A meeting of the Georgia Board of Chiropractic was held on Thursday, September 24, 2009, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

The following Board members were present:	Others Present:
Karen Mathiak, D.C., President Gregory Baker, D.C. J. Chris Nelson, D.C. David Wren, D.C. Jeffrey Slocum, D.C. Kathleen Bowen	Anita Martin, Executive Director Graham Barron, Assistant Attorney General Carol White, Board Secretary Robert Alpert, D.C. Chris Connelly, D.C.

Karen Mathiak established that a quorum was present and the meeting was **called to order** at 10:10 a.m.

Public Hearing 10:00 a.m.

The Public Hearing was called to order at 10:11 a.m.

1. Board Rule 100-4-.01 Advertising
2. Board Rule 100-4-.02 Diplomat Status/Certifications.
Dr. Chris Connelly provided information to the board from the organization Medical Provider Workers Compensation Professional (MPWCP).
3. Board Rule 100-5-.04 Application for Approval and Responsibilities of Providers -
4. Board Rule 100-7-.08 Private Review Agent Requirements
5. Board Rule 100-17-.01 Review Agents

Written comments were provided by Warren Jahn, D.C. and were considered by the Board. Drs. Robert Alpert and Chris Connelly provided verbal comments concerning these proposed rules.

The Public Hearing was adjourned at 11:10 a.m.

Approval of minutes from the September 24, 2009 board meeting. Dr. Nelson made a motion to approve as amended. Dr. Wren seconded the motion and it carried unanimously.

Licenses to ratify. Ms. Bowen made a motion to ratify licenses. Dr. Baker seconded the motion and it carried unanimously.

License #	Name	License Type
CHIR008549	Haniotis, Michael	Chiropractor

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS

Board Meeting

November 19, 2009

Professional Licensing Boards

237 Coliseum Drive, Macon, GA 31217

10:00 a.m.

CHIR008550	Ramsey, William Brent	Chiropractor
CHIR008551	Albano, Scott Christopher	Chiropractor
CHIR008552	Plotkina, Olena Mykolayivna	Chiropractor
CHIR008553	Cheng, Lihong	Chiropractor
CHIR008555	White, Vincent Eugene	Chiropractor
CHIR008556	Tinsley, Justin	Chiropractor
CHIR008557	Wetzonis, Steven Donald	Chiropractor
CHIR008558	Black, Stephen P	Chiropractor
CHIR008559	Guevara, Jose G	Chiropractor
CHIR008560	Williams, Esther E	Chiropractor
CHIR008561	Dykes, Gregory Ryan	Chiropractor
CHIR008562	Cronin, Suzanne L	Chiropractor
CHIR008563	Lee, Christopher Sukjoon	Chiropractor
CHIR008564	Sill, Guinevere C	Chiropractor
CHIR008565	Tew, Donald Harrison	Chiropractor
CHIR008566	Wheeler, Gregory Martin	Chiropractor
CHIR008567	Masyk, Jamie B	Chiropractor
CHIR008568	Willing, Evan G	Chiropractor
CHIR008569	Alexiades, George Nick	Chiropractor
CHIR008570	Roffers, Steven David	Chiropractor
CHIR008571	Crandall, Theresa Brown	Chiropractor
CHIR008572	Melendez, Misael D	Chiropractor
CHIR008573	Carrazana, Carlos	Chiropractor
CHIR008574	Tew, Daniel Harrison	Chiropractor
CHIR008575	Guy, Jana Lacie	Chiropractor
CHIR008576	Wasdin, Howard E	Chiropractor
CHIR008577	Loschiavo, Melissa	Chiropractor

Request from Kaled Abouhaif to terminate probation from Public Consent Order, docket number 2006-0541. Dr. Nelson made a motion to approve upon receipt of a clean drug screen within 48 hours of receipt of the screen. Dr. Baker seconded the motion and it carried unanimously

Correspondence from Christopher Powell. Dr. Baker made a motion to notify Dr. Powell that he needs to seek private legal counsel. No, a D.C. cannot perform electrodiagnostic testing including Needle EMG or any other procedures or testing that pierces the skin. Ms. Bowen second the motion and it carried. Dr. Slocum recused himself from the vote.

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS
Board Meeting
November 19, 2009
Professional Licensing Boards
237 Coliseum Drive, Macon, GA 31217
10:00 a.m.

Consideration of adoption of Board Rule 100-5-.04. Dr. Nelson made a motion to adopt. Dr. Slocum seconded the motion and it carried unanimously.

Consideration of adoption of Board Rule 100-7-.08. Dr. Neslon made a motion to adopt. Dr. Wren seconded the motion and it carried unanimously.

Consideration of adoption of Board Rule 100-4-.01. Dr. Baker made a motion to adopt. Ms. Bowen seconded the motion and it carried unanimously.

Consideration of adoption of Board Rule 100-4-.02. Dr. Baker made a motion to adopt as posted. Ms. Bowen seconded the motion and it carried unanimously.

Dr. Wren motioned, Ms. Bowen seconded and the Board voted to post adding The Medical Providers Workers Compensation Professional (MPWCP) to Board Rule 100-4-.02

100-4-.02 Diplomate Status/Certifications.

Effective January 7, 2008

Licensees may not advertise that they have certifications or have attained diplomate status without having been conferred the title of diplomate or having received certifications and having active diplomate and/or certifications by one or more of the following boards:

- (i) Academy of Chiropractic Orthopedists (ACO);
- (ii) Certified in Chiropractic Spinal Trauma (CCST);
- (iii) Certified Chiropractic Wellness Practitioner (CCWP);
- (iv) Certified Sports and Fitness Chiropractor (CSFC);
- (v) Diplomate American Chiropractic Board of Radiology (DACBR);
- (vi) Diplomate American Chiropractic Rehabilitation Board (DACRB);
- (vii) Diplomate American Chiropractic Board of Nutrition (DACBN);
- (viii) Diplomate American Board of Chiropractic Internists (DABCI);
- (ix) Certified Chiropractic Sports Physicians (CCSP);
- (x) Diplomate American Board of Chiropractic Orthopedics (DABCO);
- (xi) Diplomate American Board of Forensic Professionals (DABFP);
- (xii) Diplomate American Chiropractic Academy of Neurology (DACAN);
- (xiii) Certification American Chiropractic Board of Thermologists (CACBT);
- (xiv) Diplomate American Board of Chiropractic Neurology (DABCN)
- (xv) Diplomate American Chiropractic Board of Sports Physicians (DACBSP);
- (xvi) Diplomate American Chiropractic Board of Occupational Health (DACBOH);
- (xvii) Diplomate American Chiropractic Neurology Board (DACNB);
- (xviii) Diplomate Applied Chiropractic Sciences (DACS);
- (xix) Diplomate in Chiropractic Imaging (DCCI);
- (xx) Diplomate in Pediatrics (DICCIP);
- (xxi) Diplomate in Philosophical Chiropractic Standards (DPHCS);

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS

Board Meeting

November 19, 2009

Professional Licensing Boards

237 Coliseum Drive, Macon, GA 31217

10:00 a.m.

(xxii) Diplomate in Thermography (DICCT);
(xxiii) Diplomate of American Board of Chiropractic Consultants (DABCC);
(xxiv) Diplomate of Council on Extremity Adjusting (CEA)
(xxv) Diplomate of American Board of Quality Assurance and Utilization Review Physicians (ABQAURP).
(xxvi) Medical Provider Workers Compensation Professional (MPWCP).
Authority O.C.G.A. 43-1-25, 43-9-6.1.

Consideration of adoption of Board Rule 100-17-.01 Review Agents. Dr. Nelson made a motion to adopt as posted. Dr. Wren seconded the motion and it carried unanimously.

Dr. Nelson made a motion to post Board Rule 100-17-.01 Review Agents. Dr. Wren seconded the motion and it carried unanimously.

100-17-.01 Review Agent.

(1) For purposes of this rule “Review Agent” means any person rendering a professional chiropractic written or verbal opinion, which has the capacity or intent of affecting the frequency, duration, necessity, or outcome of chiropractic treatment or patient care and who is being compensated by a 3rd party payer or other contractual parties.

(2) Chiropractic care shall include offering or rendering a professional chiropractic written or verbal opinion, which has the capacity or intent of affecting the frequency, duration, necessity, or

outcome of chiropractic treatment or patient care. Any person practicing as a Review Agent in Georgia must:

(a) notify the Georgia Board of Chiropractic Examiners of his/her intent to act as a review agent. Such notification must include the individual’s Georgia license number.

(b) possess a valid Georgia chiropractic license;

(c) have completed a certification program totaling a minimum of 100 hours in performing utilization peer review;

(d) ~~if rendering an opinion on the appropriateness of physiotherapy modalities, must have the certification listed as a secondary license type on their Georgia license~~ have the physiotherapy modalities certification listed as a secondary license type on their Georgia license;

(e) identify themselves by name, degree designation, location of practice, and Georgia chiropractic license number;

(f) have established not less than five (5) years of active private clinical practice in Georgia immediately prior to rendering such opinion; and

(g) have earned a minimum of seventy percent (70%) of chiropractic related income from the active treatment of patients in Georgia in each of the previous five (5) years.

(3) Licensed chiropractors conducting peer review on behalf of a Georgia professional association, as approved by the board by policy, are exempt from this rule.

(4) Effective from the effective date of this rule amendment through January 31, 2010, the Board will consider requests from Georgia licensed doctors of chiropractic to be grand-fathered as Review Agents.

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS
Board Meeting
November 19, 2009
Professional Licensing Boards
237 Coliseum Drive, Macon, GA 31217
10:00 a.m.

Authority OCGA §§ 43-1-25, 43-9-1, 43-9-6.1, 43-9-12, 43-9-12.1, 43-9-16.

Approval of minutes from the October 22, 2009 Conference Call Board meeting. – Ms. Bowen made a motion to approve. Dr. Slocum seconded the motion and it carried unanimously.

Approval of minutes from the October 30, 2009 Conference Call Board meeting. Ms. Bowen made a motion to approve. Dr. Slocum seconded the motion and it carried unanimously.

Rule Waiver request fro Kenneth Driken Spresser for Board Rule 100-2-.09. Ms. Bowen made a motion to deny request. Dr. Slocum seconded the motion and it carried unanimously.

Executive Director's Open Session – Ms. Anita Martin

- Ms. Martin presented the board with information on Biofeedback. The Board considered the practice as within the scope of practice in Georgia.
- Ms. Martin will send the 2010 Board meeting schedule to all Board members.

Miscellaneous:

- Shawn LaGrua, IG attended the meeting to brief the Chiropractic Board on the status of the OIG cases. Ms. LaGrua stated that there was a closure of 10% more cases this year than last year.

EXECUTIVE SESSION

Dr. Nelson made a motion, Dr. Slocum seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-19(h) (2) and §43-1-2 (k) to deliberate and receive information on applications, investigative and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Ms. Bowen, Dr. Wren, and Dr. Baker. The Board concluded Executive Session in order to vote on the matters and to continue with the public session.

Appointments:

R.H.K. and D.G. – Dr. Nelson made a motion to approve. Dr. Wren seconded the motion and it carried unanimously.

Applications/Licensure:

1. T.J.L. – Chiropractic Applicant – The Board tabled. The Board requires a written explanation on his arrest/conviction history. Once received applicant will go to January 2010 Board meeting.
2. S.P.P.– Chiropractic Applicant – Dr. Baker made a motion to approve. Ms. Bowen seconded the motion and it carried unanimously.
3. J.W.W. – Chiropractic Applicant – Dr. Baker made a motion to approve. Dr. Nelson seconded the motion and it carried unanimously.

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS

Board Meeting

November 19, 2009

Professional Licensing Boards

237 Coliseum Drive, Macon, GA 31217

10:00 a.m.

4. J.L.M. – Chiropractic Applicant - Dr. Wren made a motion approve. Dr. Baker seconded the motion and it carried unanimously.
5. C.E.B. – Chiropractic Applicant – Dr. Baker made a motion to issue a Cease & Desist and to send to Attorney General's office for a Public Consent Order with 1 year probation/E & B within period of probation and a \$500.00 fine. Dr. Wren seconded the motion and it carried unanimously
6. B.J.A. – Reactivation applicant – Dr. Wren made a motion to approve. Dr. Baker seconded the motion and it carried unanimously.
7. H.P.W. – Reinstatement Applicant – Dr. Baker made a motion to require that he complete an OMPE prior to further instatement consideration. Dr. Wren seconded the motion and it carried unanimously.
8. J.N.C. – Chiropractic Applicant – Applicant was interviewed and tabled at September 2009 Board meeting. Executive Director Martin will call the MA Board and get a synopsis of all issues. The Board voted to table until January 2010 Board meeting.

Cognizant/Investigative Reports:

CHIR090016 – Approved.

Dr. Baker made a motion, Dr. Nelson seconded and the Board voted to accept the recommendations on the investigative report.

Attorney General's Report – Mr. Graham Barron

- Mr. Barron updated the Board on the cases in his office.
- Mr. Baron provided for acceptance Consent Orders on Rachel E. Moeser, D.C. and Andrew L. Sokol, D.C. The Board voted to accept upon receipt the Consent Order on Julie Weisberg, D.C. Dr. Slocum motioned, Ms. Bowen seconded and the Board voted to accept these orders as presented.
- Mr. Barron discussed OMPE results on W.E. Dr. Wren motioned, Dr. Baker seconded and the Board voted to issue a Consent Order citing fraudulent billing issues with 3 years probation, E & B within 1 year and a \$3,000.00 fine to be paid within 6 months.

Executive Director's Executive Session – Ms. Anita Martin

- Ms. Martin presented the board with a request from Dr. Becker regarding supervising therapist and CE requirement. Dr. Baker made a motion to approve. Dr. Wren seconded the motion and it carried unanimously.
- Ms. Martin will revise the reinstatement policy and application to be consistent and bring back to the full board for consideration.

There being no further business to come before the Board, the meeting was adjourned at 2:26 p.m. on November 19, 2009.

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS
Board Meeting
November 19, 2009
Professional Licensing Boards
237 Coliseum Drive, Macon, GA 31217
10:00 a.m.

Minutes prepared by: Carol White, Board Secretary

Reviewed/Edited by: Anita Martin, Executive Director